

Original – Return to Court after served

1st Copy – Party served writ

2nd Copy – Sheriff or levy officer

IN THE JUSTICE COURT, CIVIL DIVISION

YELLOWSTONE COUNTY, MONTANA

BEFORE JUDGE _____

PLAINTIFF(S) NAME(S)

1(a). _____

Address City, State, Zip Phone No CASE NO.

1(b). _____

Address City, State, Zip Phone No

CV _____

VS

DEFENDANT(S) NAME(S).

WRIT OF EXECUTION

2(a). _____

Address City, State, Zip Phone No

2 (b). _____

Address City, State, Zip Phone No

THE STATE OF MONTANA

TO THE SHERIFF OR A LEVYING OFFICER OF YELLOWSTONE COUNTY:

[3] WHEREAS, on _____, 20____ the above named plaintiff(s), hereinafter called the judgment creditor, recovered a judgment against the above named defendant(s), hereinafter called the judgment debtor, in the justice court of Yellowstone County as follows:

[4] Original or Balance Due on Judgment in the amount of \$_____

[5] Accrued Interest at 10% per annum on the Judgment \$_____

[6] Costs and Disbursements Accrued \$_____

[7] Credits { \$_____ }

[8] Total sum due & owing on date of this execution \$_____

[9] TOGETHER all costs of execution (and) (or) personal property described as follows: _____

THEREFORE YOU ARE COMMANDED, that out of the personal property of the judgment debtor, not exempt from execution, you cause to be made the full amount of said judgment, interest and costs, with further costs of executing this writ. You are to execute this writ not later than 120 days after your receipt of it.

HEREIN FAIL NOT, and make return of this writ with your doing to this Court not less than 10 days or more than 120 days after receipt of the recovery by the sheriff or levying officer following imposition of levy, as provided for under §25-13-402, MCA.

WITNESS my hand this _____ day of _____, 20____

Justice of the Peace

By _____

Clerk, Justice Court

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AFFIDAVIT AND REQUEST FOR ISSUANCE OF WRIT OF EXECUTION

The undersigned judgment creditor requests a writ of execution and does hereby swear or affirm that all of the recitals on the above writ of execution relating to the entry of judgment and costs are true and correct; and, after application of credits, first against costs, second against accrued interest, and third against judgment as entered, there remains unpaid and unsatisfied the sums specified.

[10] Dated: _____, 20____

Judgment Creditor

STATE OF MONTANA

COUNTY OF YELLOWSTONE

On this date the person who subscribed this AFFIDAVIT AND REQUEST FOR A WRIT OF EXECUTION did swear or affirm that the facts are true and correct.

Dated: _____, 20____

Clerk, Justice Court

RETURN ORIGINAL WRIT TO THE COURT

RETURN OF SHERIFF OR A LEVYING OFFICER

(May use your own return form)

Received this writ at Billings, Montana on _____, 20____ and executed as follows:

Dated: _____, 20____

SHERIFF OR A LEVYING OFFICER